

IT IS ORDERED

Date Entered on Docket: October 26, 2022



The Honorable David T. Thuma
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

IN RE:

GILBERT LUIS ZAMORA

Debtor.

Case No. 13-22-10278-TA

STIPULATED ORDER RESOLVING THE CREDITOR'S
MOTION FOR RELIEF FROM STAY AS MOOT

This matter came before the Court on the Motion for Relief from Automatic Stay for the Abandonment of Property to U.S. Bank Trust National Association, as trustee for CVF III Mortgage Loan Trust II, filed on August 22, 2022, (DOC 35) (the “Motion”) by U.S. Bank Trust National Association, as trustee for CVF III Mortgage Loan Trust II (“Creditor”), and the Debtor’s Response to Motion for Relief From Stay and to Abandon Property (the “Objection”), filed on September 13, 2022 (DOC 37). The Court, having reviewed the record, the Motion, the Objection and being otherwise sufficiently informed, FINDS:

a. On August 22, 2022, Creditor served the Motion and a notice of the Motion (the “Notice”) on Ronald E Holmes, Attorney for Debtor and Tiffany M. Cornejo, Trustee (the “Trustee”) by use of the Court’s case management and electronic filing system for the transmission of notices, as authorized by Fed.R.Civ.P. 5(b)(3) and NM LBR 9036-1, and on the Debtor Gilbert Luis Zamora, by United States first class mail, in accordance with Bankruptcy Rules 7004 and 9014.

b. The Debtor’s Second Amended Plan (DOC 22), was filed on May 25, 2022. The Plan provides that the Trustee will pay Creditor’s pre-petition arrears and regular monthly post-petition mortgage payments.

c. The Court entered the Order Confirming Plan (DOC 38) on September 19, 2022.

IT IS, THEREFORE, THE ORDER OF THIS COURT:

That since the Debtor’s Plan has been confirmed, the Creditor’s Motion is moot, and the arrears due to Creditor will be paid in accordance with the Debtor’s Plan.

IT IS FURTHER ORDERED that the stay remains in place with regard to the subject real property referenced in the Creditor’s Motion for Relief from Stay.

XXX END OF ORDER XXX

SUBMITTED BY:

ROSE RAMIREZ & ASSOCIATES, P.C.

By /s/Elizabeth Dranttel e-signed

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APPROVED BY:

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By concurrence received via email 10.24.22

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By concurrence received via email 10.25.22

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COPY TO:

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